


STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H

Safe and Healthy Lives in Safe and Healthy Communities

To: Members of the Community Interested in the:
Rules and Regulations Pertaining to Preliminary Breath Testing and Standards for the Determination of the Amount of Alcohol and/or Drugs in a Person's Body by Chemical Analysis of the Breath, Blood, and/or Urine or Other Bodily Substances (R-31-27-ALCH)

From: David Uliss, Ph.D., Chief of Forensic Sciences
Division of Laboratories

Date: February 6, 2006

Attached for your review please find a copy of **DRAFT *Rules and Regulations Pertaining to Preliminary Breath Testing & Standards for the Determination of the Amount of Alcohol and/or Drugs in a Person's Body by Chemical Analysis of the Breath, Blood, and/or Urine or Other Bodily Substances.*** These regulations are proposed in accordance with Chapter 31-27 of the Rhode Island General Laws, as amended. HEALTH is authorized to maintain a list of breath-testing instruments that may be used by state and municipal police departments. In sections 3.0 and 6.0, the list is removed from the regulations and proposed to be maintained on HEALTH's website.

Section 8.2 streamlines the process that the breath analysis operator must perform to determine the suspect's blood alcohol content. Specifically, the 30 minute waiting period between tests (two tests being required per subject) has been shortened to less than 15 minutes.

Because of your interest, knowledge, and expertise in these matters, the Department would appreciate your review of the attached document in preparation for an *informal* community review meeting scheduled for: **THURSDAY, FEBRUARY 23, 2006 at 10:00 a.m.** in the **HEALTH POLICY FORUM** of the Cannon Building (located on the lower level).

If you have any questions about the proposed regulations, please contact me at 401-222-5600 or via e-mail: DaveU@doh.state.ri.us. If you are unable to attend this meeting, you may direct your written comments to me before the meeting.

Please feel free to circulate additional copies of this document, as needed. Upon request, for persons with disabilities, copies of these proposed regulations are also available in Braille, large print, audio cassette, and electronic file (computer disk). Contact the Division of Health Services Regulation (401-222-1039 or RI Relay dial 711) if you need such assistance. These regulations also appear on the Department's website: www.health.ri.gov/hsr/regulations/index.php and the Secretary of State's website: www.rules.state.ri.us/rules/.

Your participation is appreciated. *Thank you.*

Attachment